

## DECLARATION – Non-Provisional Utility Patent Application



Below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter that is claimed and for which a patent is sought on the invention entitled "Adjustable Measuring Scoop," the specification of which:

- ☐ is attached hereto OR
- ☒ was filed on 1/27/2004 as United States Application Serial No. 10/765,294 or PCT International Application No. \_\_\_ and was amended on \_\_\_ (if applicable).

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

We acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations (CFR), § 1.56.

We hereby claim foreign priority benefits under Title 35, U.S. Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than U.S.A., listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

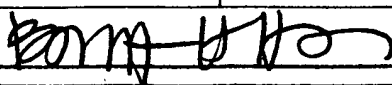
Prior Foreign App. Number(s)	Country	Date of Filing	Priority Claimed
			YES / NO

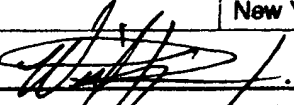
We hereby claim the benefit under Title 35, United States Code §119(e) of United States provisional application(s) number \_\_\_\_\_, filed on \_\_\_\_\_.

We hereby claim the benefit under Title 35, U.S. Code, § 120 of any U.S. application(s), or § 365(c) of any PCT international application designating U.S.A., listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior U.S. or PCT international application in the manner provided by the first paragraph of Title 35, U.S. Code, § 112, we acknowledge the duty to disclose information which is material to patentability as defined in Title 37 CFR, § 1.56 that became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent App. Number	PCT Parent Number	Parent Filing Date	Status

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, U.S. Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

1	FULL NAME OF INVENTOR	FIRST Name Edward	MIDDLE Initial H.	LAST Name Kilduff	
	RESIDENCE & CITIZENSHIP	City New York	State or Foreign Country New York		Country of Citizenship USA
	POST OFFICE ADDRESS	128 Wooster Street	City New York	State or Country New York	Zip Code 10012
INVENTOR'S SIGNATURE  DATE <u>7/27/04</u>					

2	FULL NAME OF INVENTOR	FIRST Name William	MIDDLE Initial Y.	LAST Name Kang	
	RESIDENCE & CITIZENSHIP	City New York	State or Foreign Country New York		Country of Citizenship USA
	POST OFFICE ADDRESS	336 East 67 Street, Apt. 21	City New York	State or Country New York	Zip Code 10021
INVENTOR'S SIGNATURE  DATE <u>7/27/04</u>					

3	FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial	LAST Name	
	RESIDENCE & CITIZENSHIP	City	State or Foreign Country		Country of Citizenship USA
	POST OFFICE ADDRESS		City	State or Country	Zip Code
INVENTOR'S SIGNATURE _____ DATE _____					

4	FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial	LAST Name	
	RESIDENCE & CITIZENSHIP	City	State or Foreign Country		Country of Citizenship USA
	POST OFFICE ADDRESS		City	State or Country	Zip Code
INVENTOR'S SIGNATURE _____ DATE _____					

5	FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial	LAST Name	
	RESIDENCE & CITIZENSHIP	City	State or Foreign Country		Country of Citizenship USA
	POST OFFICE ADDRESS		City	State or Country	Zip Code
INVENTOR'S SIGNATURE _____ DATE _____					

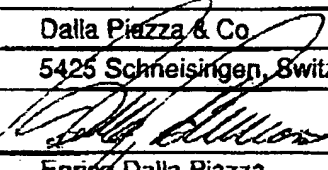
**NOTE TO INVENTORS: Signature Must Conform Exactly to Name as Set Forth Above.**

**POWER OF ATTORNEY**

Dalla Piazza & Co., assignee of the entire right, title, and interest in the application for United States Letters Patent, entitled "Adjustable Measuring Scoop," by Edward H. Kilduff and William Y. Kang, filed as application S.N. 10/765,294 on January 27, 2004 and a copy of the assignment of which is attached hereto, does hereby appoint as attorney of record with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith, Thomas J. Brindisi, Esq., Reg. No. 40,348.

Send Correspondence to:	Law Offices of Thomas J. Brindisi 20 28 <sup>th</sup> Place, Suite B Venice, California 90291	Direct Telephone Calls to: (310) 439-2901 Fax: (310) 439-2902
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I, the undersigned declare that, as an officer of the assignee, I am authorized to make this appointment on behalf of the assignee and I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name of Assignee:	Dalla Piazza & Co.	
Post Office Address:	5425 Schneisingen, Switzerland	
Signature of Declarant:		Date: July 30 <sup>th</sup> , 2004
Full Name of Declarant	Enrico Dalla Piazza	
Title of Declarant:	President	
Address of Declarant:	5425 Schneisingen, Switzerland	

ASSIGNMENT OF PATENT APPLICATION

WHEREAS, we, Edward H. Kilduff and William Y. Kang, citizens of the UNITED STATES OF AMERICA, (hereinafter referred to as "ASSIGNORS"), have invented a "Adjustable Measuring Scoop" for which application for Letters Patent of the United States of America has been executed on even date(s) herewith; and

WHEREAS, Dalla Piazza & Co., a corporation organized and existing under and by virtue of the laws of the Switzerland and having its principal place of business at 5425 Schneisingen, Switzerland (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto, to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent or any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement;

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

WITNESS my hand at N. Y., New York, this 27 day of July, 2004.

Edward H. Kilduff  
Edward H. Kilduff

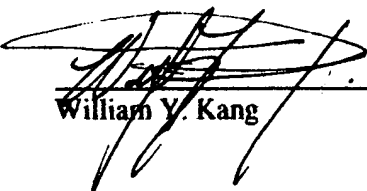
STATE OF New York )  
COUNTY OF ~~Kings~~ NY ) ss

On July 27, 2004 before me, SABRINA MALLAY, personally appeared Edward H. Kilduff ☐ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person whose name is/are subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person executed the instrument.

WITNESS my hand and official seal.

Sabrina K. Mallay  
Notary Public in and for said County and State  
SABRINA K. MALLAY  
Notary Public, State of New York  
No. 01MA5083992  
Qualified in Queens County  
Commission Expires 11/12/2006

WITNESS my hand at NY, New York, this 27 day of July, 2004.

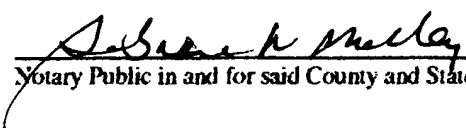
  
\_\_\_\_\_  
William Y. Kang

STATE OF New York )

COUNTY OF ~~Kings~~ NY ) ss

On July 27, 2004 before me, SABRINA MALLAY, personally appeared William Y. Kang ☐ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person whose name is/are subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person executed the instrument.

WITNESS my hand and official seal.

  
\_\_\_\_\_  
Notary Public in and for said County and State

SABRINA K. MALLAY  
Notary Public, State of New York  
No. 01MA5083992  
Qualified in Queens/County  
Commission Expires 1/15/2006